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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/535,893	03/27/2000	Fumihisa Shimono	P/29-1252	3965

7590 12/03/2002

STEVEN I. WEISBURD, ESQ.  
DICKSTEIN SHAPIRO MORIN & oshinsky llp  
1177 AVENUE OF THE AMERICAS  
41ST FLOOR  
NEW YORK, NY 10036-2714

EXAMINER

ZIEMER, RITA A

ART UNIT

PAPER NUMBER

2184

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/535,893

Applicant(s)

SHIMONO, FUMIHISA

Examiner

Rita A Ziemer

Art Unit

2184

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 7, 11, 12 is/are rejected.
- 7) ☐ Claim(s) 3-5, 8-10 and 13-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. Figures 10-14 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

4. Claim 3 is objected to because of the following informalities: Claim 3 recites the limitation "connection controlling unit, instead of connecting said disconnected client terminal to said searched client terminal, for obtaining communication information from said searched client..." As written the claim does not make sense. Does the applicant

intend to leave out the "for" before "obtaining communication information"? This will be assumed for purposes of examination. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

*RWB*  
*12/2/02*  
6. Claims <sup>2, 6, 7, 11 and 12</sup>~~1-5~~ are rejected under 35 U.S.C. 102(b) as being anticipated by the Applicants admitted prior art (AAPA).

As per claims 1, 6 and 11, AAPA teaches a wireless LAN system including multiple access points and multiple client terminals, (page 3 lines 4-9) each of the access points including a main unit for communicating with the client terminals, (page 3 lines 12-19) a fault detecting unit for detecting a fault on the access point, (page 3 lines 20-24) a disconnection controlling unit for disconnecting the client terminal connected to an access point where the fault was detected, (page 3 lines 20-24) and each of the client terminals including a transceiver unit for communicating with the access point, (page 3 lines 12-19) a search controlling unit for searching for another client terminal to which the client terminal disconnected from the access point is to be connected, (page 3 lines 25-33) and a connection controlling unit for connecting the disconnected client terminal to the client terminal found by the search control unit. (Page 3 lines 25-33)

As per claims 2, 7 and 12, AAPA teaches that each of the client terminals includes a repeat controlling unit for controlling communication between the

disconnected client terminal and one of the access points connected to the found client terminal. (Page 4 lines 1-5)

***Allowable Subject Matter***

7. Claims 3-5, 8-10 and 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As per claims 3, 8 and 13, prior art was not found teaching instead of connecting the disconnected client terminal to the found client terminal, obtaining communication information through the search controlling unit.

As per claims 4, 5, 9, 10, 14 and 15, prior art was not found teaching transmitting permission information when the second fault detecting unit detects a fault thereby permitting client terminals connected to the access point to accept an emergency identification code.

**Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita Ziemer, whose telephone number is (703) 308-7090. The examiner can normally be reached on Monday - Thursday and alternating Fridays from 7:30 a.m. to 4:00 p.m. EST.

If attempts to reach the examiner by phone fail, the examiner's supervisor, Robert W. Beausoliel, Jr., can be reached at (703) 305-9713. Additionally, the fax numbers for Art Unit 2184 are as follows:

**After-final** (703) 746-7238  
**Official** (703) 746-7239  
**Non-Official/Draft** (703) 746-7240

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-9600.

**Rita Ziemer**  
12/2/02

  
Robert W. Beausoliel, Jr.  
Supervisory Patent Examiner  
Art Unit 2184